

Appl. No. 10/017,225  
Amdt. Dated July 2, 2004  
Reply to Office action of Mar. 26, 2004

### Remarks

#### ***Claim Rejections Under 35 U.S.C. 103***

Claims 1-2 and 6-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen et al. (Shen) (US 6,130,984).

In response to this rejection, applicant has amended independent claim 1 to incorporate extra limitations thereinto, namely a moveable carrier defining a guide groove and *a slot, and a sliding patch fixed in the slot*. These limitations represent the subject matter recited in claim 3. Accordingly, applicant has canceled claim 3 without prejudice, and applicant has amended claim 4 so that it depends from claim 2. In addition, applicant has changed "the dimension" in claim 1 to "a dimension." Further, applicant has amended independent claim 11 to incorporate extra limitations thereinto, namely an electrical variable optical attenuator comprising *a pair of mirrors* for reflecting signals from the input optical fiber to the output optical fiber, and wherein *said mirrors are positioned so that optical signals emitted from the input optical fiber reflect off one mirror, pass through the filter fixed on the carrier, then reflect off the second mirror and are received by the output optical fiber*. These limitations represent the subject matter recited in claim 16. Accordingly, applicant has canceled claim 16 without prejudice. In addition, applicant has made minor grammatical changes to claim 11, including changing "the dimension" to "a dimension."

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Applicant notes that claims 3 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims (see **"Allowable Subject Matter"** on page 2 of the Office action). Accordingly, amended claims 1 and 11 are submitted to be patentable, and withdrawal of the rejections of claims 1 and 11 and allowance thereof are respectfully requested.

Claims 2, 4-10 and 12-15 directly or indirectly depend from their respective independent claims 1 and 11. Claims 5 and 15 have been amended with respect to minor grammatical irregularities only. Allowance of claims 2, 4-10 and 12-15 is respectfully requested.

In view of the above claim amendments and remarks, the subject application is believed to be in a condition for allowance, and an action to such effect is earnestly solicited.

Respectfully submitted,

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